

3/17/2022

Dear EPA + Army Corps of Engineers,  
Attached is our responses, along with a second  
Corps of Engineers permit packet, along with a  
Answer sheet; with all site plans, attachments,  
and information requested.

We would like a meeting in Fairbanks within 2  
weeks to amicably resolve this matter without  
a violation, and are being full cooperative,  
The requested meeting will be with my  
Wetlands Director Eddie Packey, Travis Peterson  
& Associates,

Attached again are all requested responses, and requested  
Attachments, including Army Corps of Engineers permit  
packet, re-filled out, that we sent to Laurel Gale  
on or around February 1, 2022, we worked the entire  
month of January with her on this, and attached's  
communications via email showing dates and times  
of this as well. Please see Corps Engineers Application  
and Responses Attached.

Thank you  
Ryan Smith



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10

1200 Sixth Avenue, Suite 155  
Seattle, WA 98101

ENFORCEMENT & COMPLIANCE  
ASSURANCE DIVISION

Reply To: 20-C04

**RETURN RECEIPT REQUESTED**

Mr. Ryan L. Smith  
President  
Alaska Construction, Inc.  
P.O. Box 872725  
Wasilla, Alaska 99687

Re: Unauthorized Discharges of Dredged and/or Fill Material in Wetlands Adjacent to  
Boulder Creek/Crooked Creek, near Central, Alaska

Dear Mr. Smith:

This letter is regarding a reported violation of the Clean Water Act (CWA), 33 U.S.C. § 1251 *et seq.*, for unauthorized discharges of dredged and/or fill material in waters of the United States, including wetlands adjacent to Boulder Creek/Crooked Creek. The work was performed without authorization under CWA Section 404, 33 U.S.C. § 1344, on property located at approximately 126.2 Steese Highway, Latitude 65.57033° N., Longitude 144.85272° W.; near Central, Alaska.

The U.S. Environmental Protection Agency (EPA), Region 10, has discussed this matter with the U.S. Army Corps of Engineers, Alaska District ("Corps"). The Corps is conducting an investigation of the reported CWA violation. On December 22, 2021, the Corps requested you to provide information within 10 days of your receipt of their letter (POA-2021-00378).

On January 3, 2022, you contacted the Corps Project Manager by telephone, but did not respond to the information request. To date, your written response has not been received by the Corps.

EPA hereby advises you to **cease and desist** from all unauthorized discharges into waters of the United States, including wetlands. Failure to respond truthfully and accurately to the Corps' information request may subject you to CWA enforcement actions, including, but not limited to, the following civil and/or criminal sanctions:

- Issuance of an Administrative Compliance Order under CWA Section 309(a), 33 U.S.C. § 1319(a), for certain injunctive relief under CWA Section 309(b), 33 U.S.C. § 1319(b).
- Assessment of an administrative penalty of up to \$23,989 per day of violation under CWA Section 309(g), 33 U.S.C. § 1319(g);
- Referral to the EPA Criminal Investigations Division for criminal prosecution under CWA Section 309(c), 33 U.S.C. § 1319(c); and/or
- Referral to the U.S. Department of Justice for commencement of a civil action, including a civil penalty of up to \$59,973 per day of violation under CWA Section 309(d), 33 U.S.C. § 1319(d).

The Corps indicated to EPA that the subject property has been listed for sale. Please be advised that the sale of the property does not absolve the seller or the prospective owner from the requirements of the CWA. EPA is providing a courtesy copy of this letter to the listed real estate broker for the subject property.

Thank you for your cooperation and attention to this important matter. If you have any questions regarding this letter, please contact Mark Jen, Case Officer in the Alaska Operations Office in Anchorage, at (907) 271-3411 or [jen.mark@epa.gov](mailto:jen.mark@epa.gov).

Sincerely,

**MICHELE  
JENCIUS**

Digitally signed by  
MICHELE JENCIUS  
Date: 2022.03.15  
10:30:12 -07'00'

Michele Regan Jencius, Chief  
Surface Water Enforcement Section

cc: Mr. Doug Welton  
Real Estate Broker, Fox Realty

Ms. Laurel Gale  
Project Manager, U.S. Army Corps of Engineers

Mr. Randy Vigil  
Project Manager, U.S. Army Corps of Engineers

Ms. Ellen Lyons  
North Central Section Chief, U.S. Army Corps of Engineers

Mr. Jon Wendel  
Compliance Manager, Alaska Department of Environmental Conservation



DEPARTMENT OF THE ARMY  
ALASKA DISTRICT, U.S. ARMY CORPS OF ENGINEERS  
REGULATORY DIVISION  
P.O. BOX 35066  
FORT WAINWRIGHT, ALASKA 99703

December 22, 2021

CERTIFIED MAIL RECEIPT NO.: 7011-1150-0000-8195-4038

Regulatory Division  
POA-2021-00378

Alaska Construction Inc.  
Attention: Mr. Ryan Smith  
P.O. Box 872725  
Wasilla, Alaska 99687

Dear Mr. Smith:

This is in reference to a reported violation involving work the discharge of dredged and/or fill material into waters of the United States (U.S.) including wetlands. The alleged work consisted of the mechanized land clearing of approximately 6.5 acres of wetlands for the construction of Mile 126 Steese Roadhouse. The project site is located within Section #, T. 9 N./, R. 14 E., Fairbanks Meridian; USGS Quad Map Central C-2 SW; Latitude 65.57033° N., Longitude 144.85272° W.; at Mile Post 126.2 Steese Highway, near Central, Alaska. Several attempts to contact you were made at the Mile Post 126.2 Steese Roadhouse construction site while in the area conducting compliance visits during the week of July 11-19, 2021. To date there has been no response from you.

Section 404 of the Clean Water Act (33 United States Code 1344) requires that a Department of the Army (DA) permit be obtained for the placement or discharge of dredged and/or fill material into waters of the U.S., including jurisdictional wetlands, prior to conducting the work. The wetlands located within and around your construction site are considered wetlands and is a water of the U.S.

We are conducting an investigation to determine whether or not a violation occurred. Please provide any information you believe should be considered in our investigation, in addition to the following:

- a. Describe the work that was performed and the purpose of the work?
- b. When did the work begin, and has it been completed?
- c. Did you own the property when the work was performed?

c. What type and amount of material fill was discharged into wetlands?

Please include this information within Cubic Yards. Also provide an outlined area where the fill was placed on the overhead view of your project.

f. What are your plans for the site including any structures, the area you have filled and/or intend to fill, and the intended use of the site? While at the construction site a large residential type structure and another structure platform was built. Please include work plans, including an aerial photo overview of your project. Include the size dimensions of each structure presently constructed and any that may be constructed in the next 5 years.

g. Please provide the amount of fill which was placed within the mechanically land cleared area and the construction site.

Please include this information within Cubic Yards. Also provide an outlined area where the fill was placed on the overhead view of your project.

The requested information must be provided within **ten days** from your receipt of this letter. Please contact us at the telephone below, we would also appreciate a written response.

Please refer to file number POA-2021-00378, Boulder Creek, in future correspondence or if you have any questions concerning this reported violation.

Please contact Laurel Gale, Regulatory Specialist, via email at [Laurel.A.Gale@usace.army.mil](mailto:Laurel.A.Gale@usace.army.mil), by mail at the address above, or by phone at (907) 347-6496, if you have questions. For additional information about our Regulatory Program, visit [www.poa.usace.army.mil/Missions/Regulatory](http://www.poa.usace.army.mil/Missions/Regulatory).

Sincerely,



Laurel A. Gale  
Project Manager

- A. Work performed WAS cleared approximately 3.2 acres of a 6.88 acre Tract of land, that myself and my son own
- B. Work Began on or around April 15-23 2021
- C. I purchased the property with my son Noah Smith, thru a Realtor, and closed at yoken title in Wasilla, AK
- D. We used gravel, approximately 180 yards to fill entrances for access and around main structure.
- E. outlined area showing gravel placement Attached to this Reponse showing locations
- F. Plans for the site currently, is a cabin we listed it for sale as a Cabin also, on or around November 2022, we have plans to finish shed structure <sup>or platform</sup>
- G. Work plans are ALSO ATTACHED in this response showing structure, and platform for shed and dimensions of each.
- H. Amount of fill placed on mechanically cleared land was approximately 180 yards of gravel fill placed.
- I. outlined area where placed is also attached in response

### Additional information

- ① our original intentions when we purchased this property was to build the Steese Roadhouse, a restaurant, we started a Facebook page, got business license, purchased lumber, logs, ect materials for construction on or around November of 2020, when we started researching how hard it was to do a commercial operation, with DEC permits, fire marshal, we decided on or around March 20<sup>th</sup> 2021 that we weren't going to do a Roadhouse or commercial structure, so we decided to use the lumber and build a cabin there, and on or around April 15-23<sup>rd</sup> 2021 we began prep work, to build cabin due to already having purchased materials, we have no intention of having a commercial structure there in the future either
- ② we had no knowledge of needing a permit to work on your own private property until informed by Laurel GALE army Corps of engineers via us mail letter received January 3<sup>rd</sup> 2022 and we immediately responded same day, and worked to come into compliance whole month of January 2022

⑤ We provided everything requested to Laurel gale, filled out the Army Corps permit, with her help via phone with all requested answers, and plot maps, legal description, etc on or around February 1 2022, sent back to Army Corps via us mail, with permit filled out and all attached requested documents,

⑥ We had no knowledge of this being a "wetland" or classified as a wetland, no standing water on property, gravel at surface in some areas, and mostly 1-3' down was gravel. Property was frozen under moss but dry, property had Birch trees as well growing on it.

⑩ It is our wish to obtain permit from Army Corps for this, it is also our wish to be 100 percent compliant with the Army Corps, and EPA, our hope is to obtain permit after the fact, and as of end of January 2022 thought I had done, with Laurel Gale until we received your letter via email dated March 15th 2022

⑪ We will also provide a second application for Army Corps with all requested again.

⑬ We do appreciate your help and hope we can amicably resolve this matter, and I can be compliant with all agencies, as far as I knew, this was not wetlands but a piece of privately owned land, we purchased thru a real estate agent, closing thru a title company with title insurance policy, and again had no idea, the property was deemed "wetlands" at any point until receiving Laurel gales request January 3rd and responded immediately to resolve this, thru permitting process, once we learned that it was deemed "wetlands"

⑬ I also attached my communication with Laurel gale for January 2022 working toward compliance on Day 1 of receiving letter from Army Corps,

U.S. Army Corps of Engineers (USACE)  
**APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT**  
 33 CFR 325. The proponent agency is CECW-CO-R.

*Form Approved -*  
**OMB No. 0710-0003**  
*Expires: 02-28-2022*

The public reporting burden for this collection of information, OMB Control Number 0710-0003, is estimated to average 11 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or burden reduction suggestions to the Department of Defense, Washington Headquarters Services, at whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. PLEASE DO NOT RETURN YOUR APPLICATION TO THE ABOVE EMAIL.

PRIVACY ACT STATEMENT

Authorities: Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research, and Sanctuaries Act, Section 103, 33 USC 1413; Regulatory Programs of the Corps of Engineers; Final Rule 33 CFR 320-332. Principal Purpose: Information provided on this form will be used in evaluating the application for a permit. Routine Uses: This information may be shared with the Department of Justice and other federal, state, and local government agencies, and the public and may be made available as part of a public notice as required by Federal law. Submission of requested information is voluntary, however, if information is not provided the permit application cannot be evaluated nor can a permit be issued. One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and/or instructions) and be submitted to the District Engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned. System of Record Notice (SORN). The information received is entered into our permit tracking database and a SORN has been completed (SORN #A1145b) and may be accessed at the following website: <http://dpcld.defense.gov/Privacy/SORNSIndex/DOD-wide-SORN-Article-View/Article/570115/a1145b-ce.aspx>

(ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS)

1. APPLICATION NO.	2. FIELD OFFICE CODE	3. DATE RECEIVED	4. DATE APPLICATION COMPLETE
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(ITEMS BELOW TO BE FILLED BY APPLICANT)

5. APPLICANT'S NAME First - <u>Ryan</u> Middle - <u>Lee</u> Last - <u>Smith</u> Company - <u>ALASKA CONSTRUCTION INC</u> E-mail Address - <u>alaskaconstruction1@gmail.com</u>	8. AUTHORIZED AGENT'S NAME AND TITLE (agent is not required) First - Middle - Last - Company - E-mail Address -
6. APPLICANT'S ADDRESS: Address - <u>PO BOX 873725</u> City - <u>WASILLA</u> State - <u>AK</u> Zip <u>99687</u> Country - <u>USA</u>	9. AGENT'S ADDRESS: Address - City - State - Zip - Country -
7. APPLICANT'S PHONE NOS. w/AREA CODE a. Residence <u>907-315-6366</u> b. Business <u>907 315 6366</u> c. Fax	10. AGENTS PHONE NOS. w/AREA CODE a. Residence b. Business c. Fax

STATEMENT OF AUTHORIZATION

11. I hereby authorize, \_\_\_\_\_ to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.

\_\_\_\_\_  
DATE

NAME, LOCATION, AND DESCRIPTION OF PROJECT OR ACTIVITY

12. PROJECT NAME OR TITLE (see instructions) <u>Ryan Smith Project</u>	14. PROJECT STREET ADDRESS (if applicable) Address <u>mile 126id Steese Highway</u>
13. NAME OF WATERBODY, IF KNOWN (if applicable) <u>Baribak Creek</u>	15. LOCATION OF PROJECT Latitude: <u>N 65.5699 N</u> Longitude: <u>W 144.18534 W</u> City <u>Central</u> State <u>AK</u> Zip <u>99730</u>
16. OTHER LOCATION DESCRIPTIONS, IF KNOWN (see instructions) State Tax Parcel ID <u>TRACT B PLAT #83-18</u> Municipality Section - <u>33</u> Township - <u>9N</u> Range - <u>14E</u> <u>Fairbanks meridian</u>	

## 17. DIRECTIONS TO THE SITE

steese highway north of Fairbanks, to mile 126.2 steese highway on  
Right Hand Side of steese highway, just past the mile 126 sign, mile marker

## 18. Nature of Activity (Description of project, include all features)

Project Cabin, features include concrete foundation, gravel pad, well,  
septic system, two driveway entrances, a 24x50 log structure, a 12x22 sub floor  
for a shed, two culverts one for each entrance of driveways.

## 19. Project Purpose (Describe the reason or purpose of the project, see instructions)

Our original intentions up until on or around March 20 was to make  
a roadhouse, but when we learned how tough the permits for a restaurant  
and everything was, we decided to turn it into a cabin due to lumber  
already being purchased, so it wouldn't rot. This was all decided before any  
construction began on site in advance, and after we figured out how hard  
it was to do a commercial site during February and March of 2021

## USE BLOCKS 20-23 IF DREDGED AND/OR FILL MATERIAL IS TO BE DISCHARGED

## 20. Reason(s) for Discharge

180 cubic yards of gravel used around building, and in driveway  
entrances for access, and drainage around structure.

## 21. Type(s) of Material Being Discharged and the Amount of Each Type in Cubic Yards:

Type	gravel	Type		Type	
Amount in Cubic Yards	180 cubic yards	Amount in Cubic Yards		Amount in Cubic Yards	

Approximately 32 acres

## 22. Surface Area in Acres of Wetlands or Other Waters Filled (see instructions)

Acres 3.25

or

Linear Feet Approximately 350' x 400' total area

## 23. Description of Avoidance, Minimization, and Compensation (see instructions)

Stockpiled overburden to use for grading, final grade, install silt fencing along property lines  
as well as ditch line to prevent erosion, final grade, install grass seed in areas to promote  
new growth, grade in a way to minimize impact, and erosion.

24. Is Any Portion of the Work Already Complete?  Yes  No IF YES, DESCRIBE THE COMPLETED WORK

Two driveway entrances, approximately 30' wide gravel pad, well filled, two culverts installed, one in each driveway entrance, 24x50 log structure erected, 12x22 wood pad for future shed storage,

25. Addresses of Adjoining Property Owners, Lessees, Etc., Whose Property Adjoins the Waterbody (if more than can be entered here, please attach a supplemental list).

a. Address-

City - State - Zip -

b. Address-

City - State - Zip -

c. Address-

City - State - Zip -

d. Address-

City - State - Zip -

e. Address-

City - State - Zip -

26. List of Other Certificates or Approvals/Denials received from other Federal, State, or Local Agencies for Work Described in This Application.

AGENCY	TYPE APPROVAL*	IDENTIFICATION NUMBER	DATE APPLIED	DATE APPROVED	DATE DENIED
State of Alaska	gravel permit	163281	1-20-22	1-21-22	
State of Alaska	driveway permit	DW 31503 DW 31504	1-27-22		

\* Would include but is not restricted to zoning, building, and flood plain permits

27. Application is hereby made for permit or permits to authorize the work described in this application. I certify that this information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.

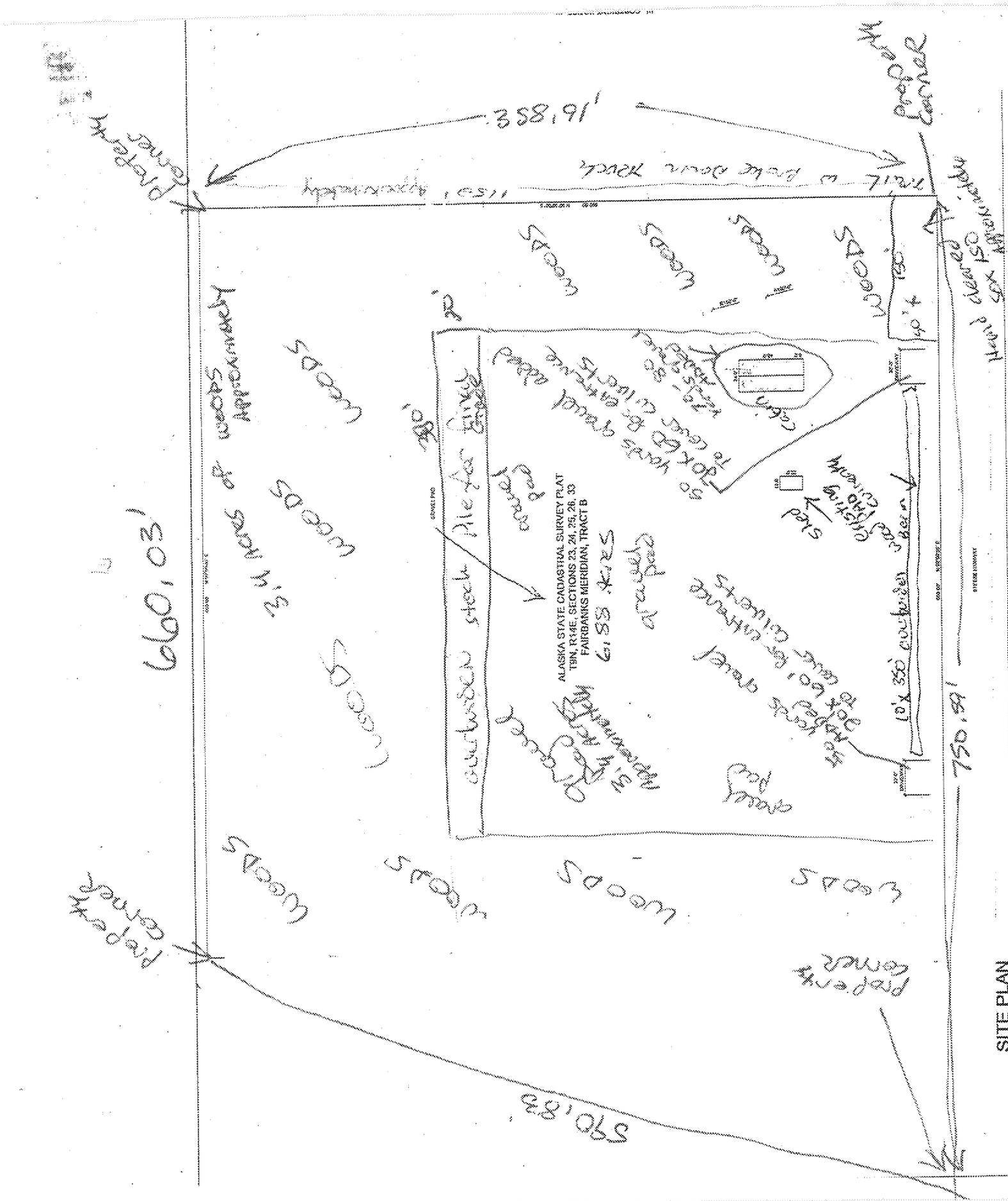
  
Ryan Smith

3-16-22  
DATE

DATE

The Application must be signed by the person who desires to undertake the proposed activity (applicant) or it may be signed by a duly authorized agent if the statement in block 11 has been filled out and signed.

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both.



ALASKA STATE CADASTRAL SURVEY PLAT  
 1791, R14E, SECTIONS 23, 24, 25, 26, 33  
 FAIRBANKS MERIDIAN, TRACT B  
 61.88 ACRES

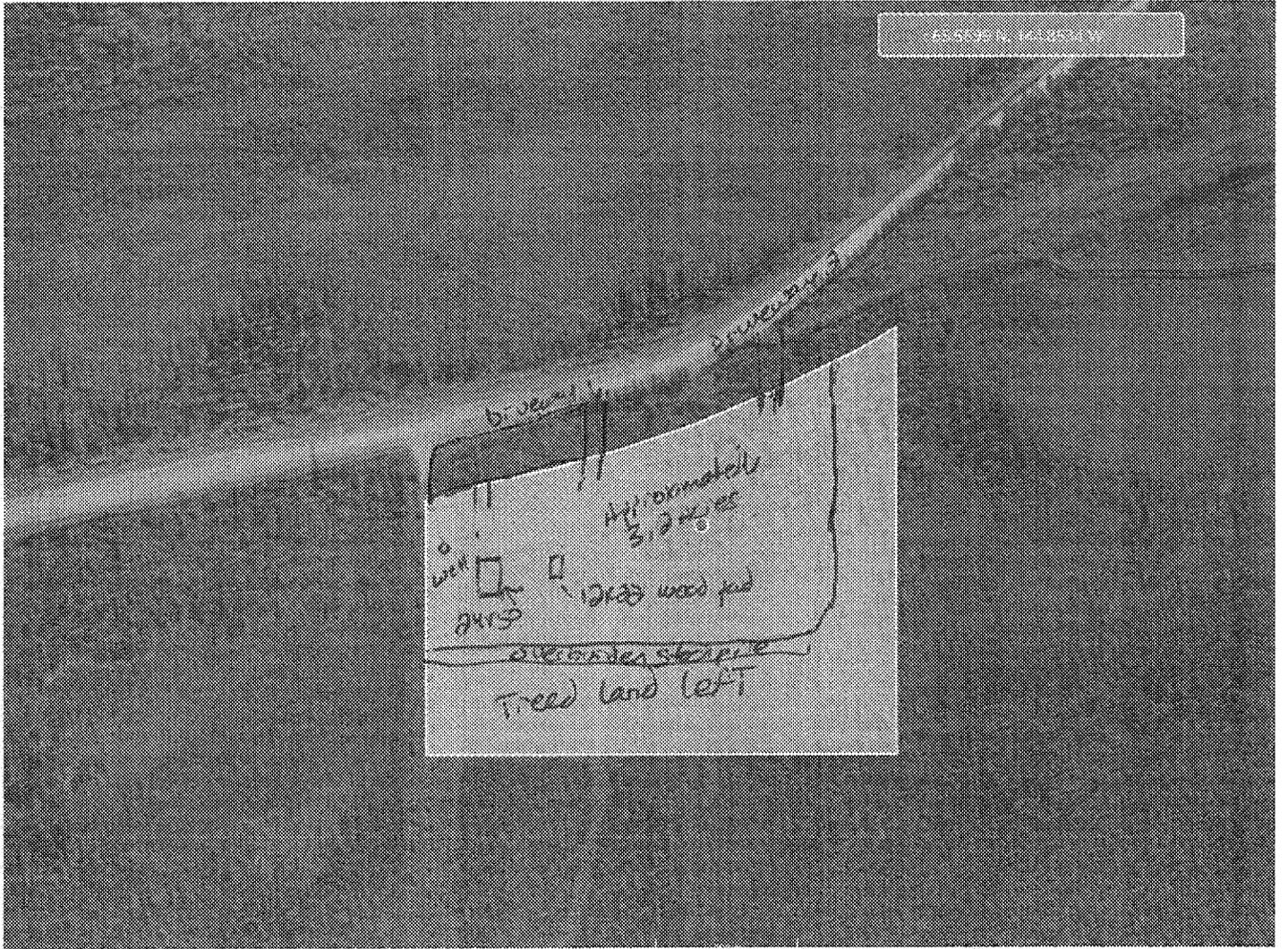
660.03'

161.853'

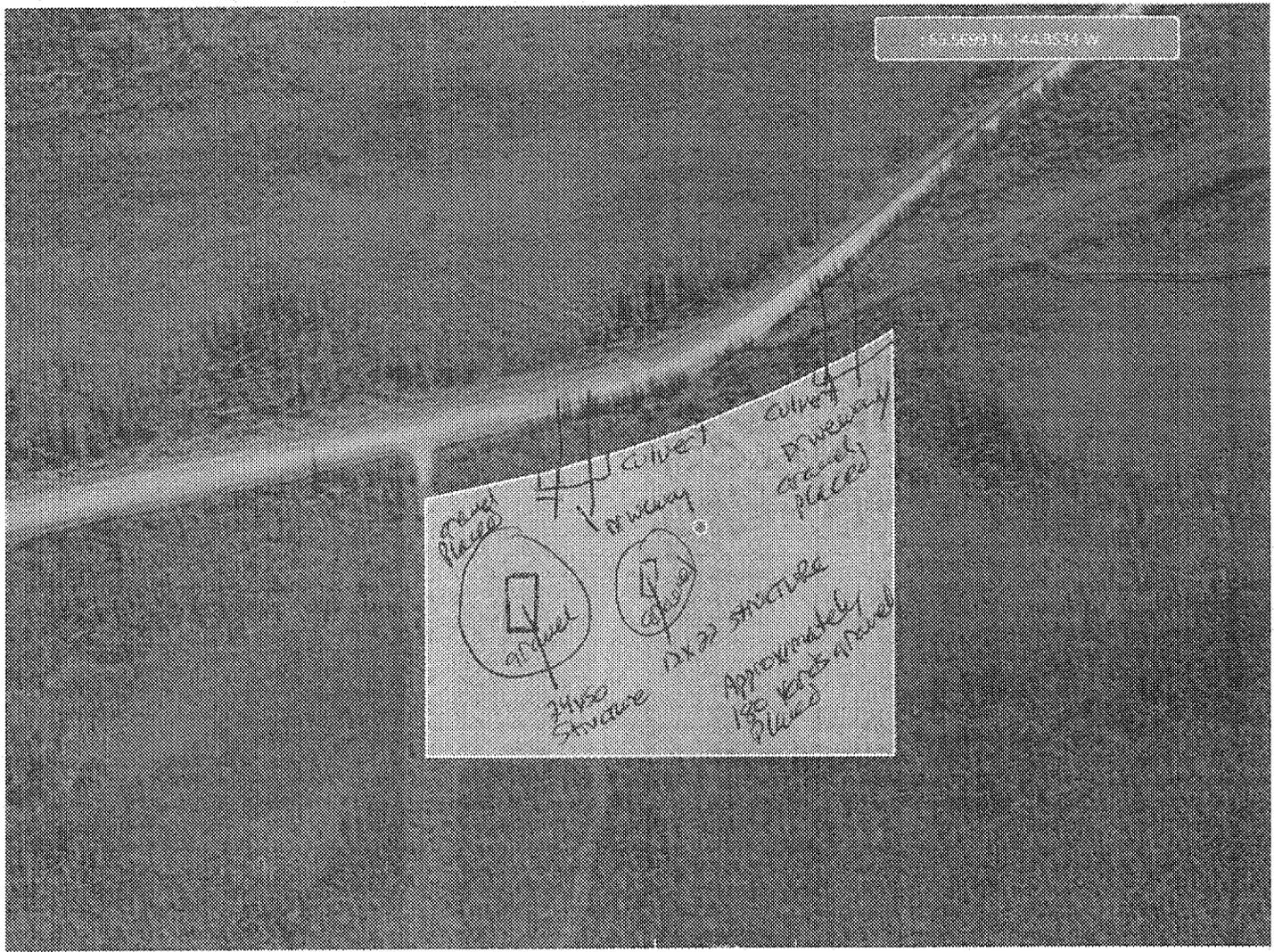
750.59'

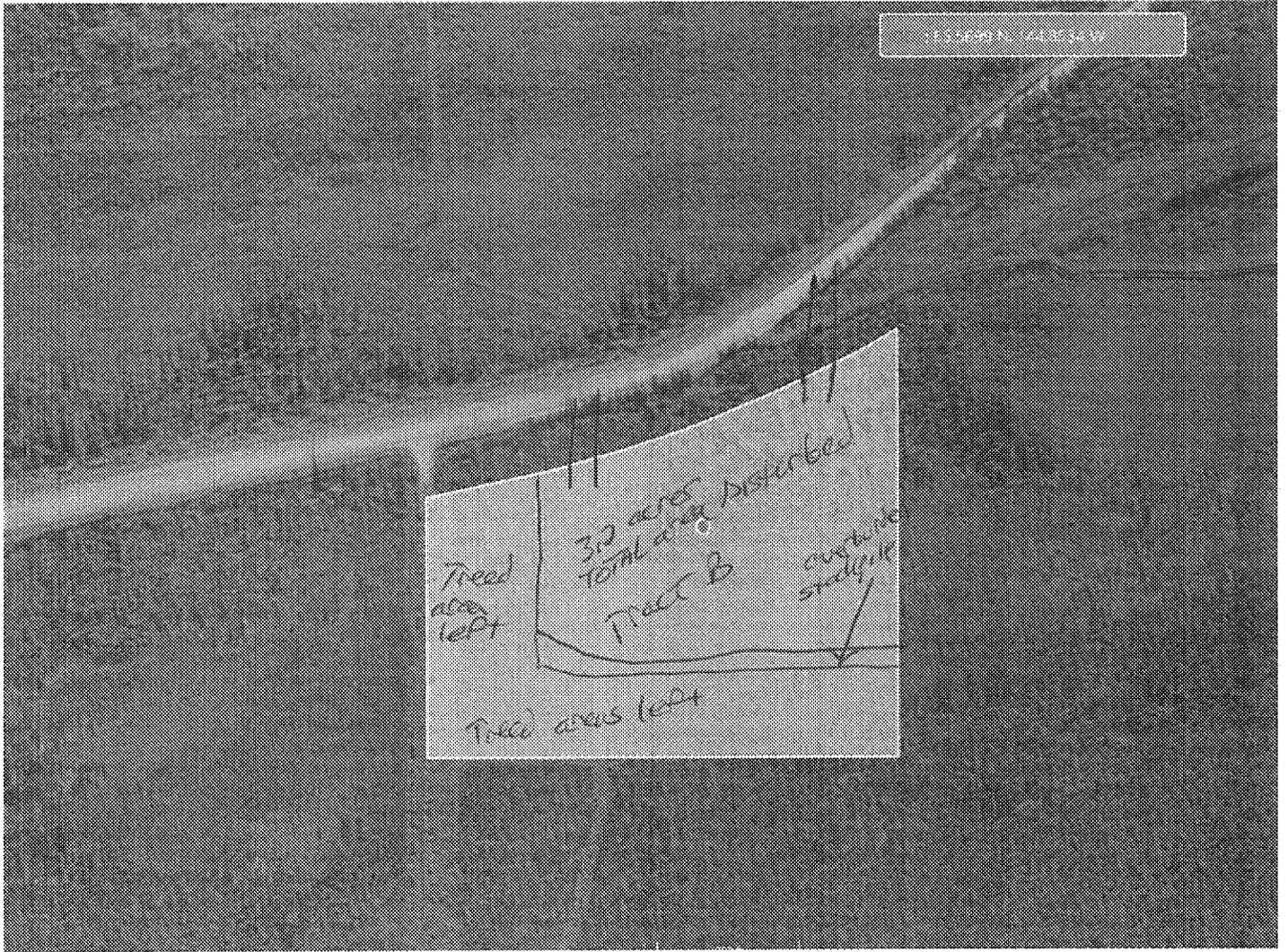
590.183'

SITE PLAN









DOT overview of TRACT B  
6.88 acres

*Listing from Yukon  
Title before purchase  
Feb 8 2019*

# YUKON

TITLE COMPANY

## Listing Package

DATE: February 8, 2019

LP19-0083  
Fee: \$0

**PREPARED FOR:**

Somers & Associates Realtors, Inc.  
Attn: Lana Hebert  
220 Park Way  
North Pole, AK 99705

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Vesting Deed | <input type="checkbox"/> Deed of Trust       |
| <input checked="" type="checkbox"/> Plat Map     | <input type="checkbox"/> CCRs / Declarations |
| <input type="checkbox"/> BEES/SUMM               |  |

PROPERTY OWNER(S): Janel Thomson Cray

PROPERTY ADDRESS: N/A

LEGAL DESCRIPTION: Tract B, Alaska State Cadastral Survey, Section 33, Township 9 North, Range 14 East  
Plat No. 83-18

TAX ID NUMBER: N/A

Thank you for choosing Yukon Title Company, Inc.

*Logan Bartels*

Logan Bartels  
Title Assistant

Notice of Disclaimer of Liability

This letter and the accompanying materials do not constitute a Policy of Title Insurance or a Commitment for Title Insurance. Further, it is not an Abstract of Title. Yukon Title Company, Inc. has not completed a search of the court records to determine the existence of Judgments, Tax Liens, Bankruptcies or other matters of record. If you desire a complete report on the status of title, please contact Yukon Title Company, Inc. to arrange for a Commitment or Policy. No transaction or decision should be made based on these materials until such time as the Company has the opportunity to perform a complete search and is prepared to issue a Policy. The liability of the Company is expressly limited to the fee paid for this report.

A. The subject property lies outside of an organized tax industry:

RECORDING DISTRICT: 401

B. There are no covenants that apply to this property. \*NOTE: Covenants and restrictions may be contained in individual deeds, of which we make no search.

C. There is no As Built Survey available.

The following information has been obtained from Yukon Title Company, Inc. records:

1. Last Deed of Record recorded in Book 1085 at Page 256  
to: JANEL THOMSON CRAY.
2. Notes and /or Easements as Stated on the Plat.
9. Plat Map

WHEN RECORDED RETURN TO:

Name

James & Carol Thomson

Address

43 Clipper Lane

City, State Zip

PORT LUDLOW WA 98365

### QUIT CLAIM DEED

THE GRANTOR(S) James R Thomson and  
Carol M Thomson, his wife

having an address of

43 Clipper Lane, Port Ludlow, WA 98365  
(Street or Post Office Box Number) (State) (Zip Code)

for and in consideration of TEN DOLLARS (\$10.00) AND OTHER VALUABLE CONSIDERATION

conveys and quit claims to

Janet Thomson Cray

having an address of

14789 Mill Rd, Lime Springs, IA 50155  
(Street or Post Office Box Number) (State) (Zip Code)

the following described real estate, situated in the Fairbanks Recording District  
Judicial District, State of Alaska, together with all after acquired title of the grantor(s) therein:

Township 9 North, Range 14 East, Fairbanks Meridian  
Section 33 : Tract B  
containing 6.881 acres, more or less  
according to the Alaska State Cadastral Survey Plat filed  
in the Fairbanks Recording District on July 7, 1983 as Plat 83-18.

Patent No. 15664

ADD No. 410022

Location Index: T. 9N, R. 14E, F.M Section 33

Dated: 8-4-98

James R. Thomson  
Carol M. Thomson

THIS INSTRUMENT IS BEING RECORDED BY  
YURON TITLE COMPANY, INC.  
AS AN ACCOMMODATION ONLY.  
IT HAS NOT BEEN EXAMINED AS TO  
ITS EFFECT IF ANY ON THE TITLE  
OR THE ESTATE HEREIN.

STATE OF WISCONSIN  
County of Winnebago

The foregoing instrument was acknowledged before me by

James R. Thomson and Carol M. Thomson

this 4 day of August, 19 98

Kelly K. Hibbs  
Notary Public in and for the State of WISCONSIN  
My commission expires: JAN 14, 2001



019435

1998 AUG 11 AM 9:06

REQUESTED BY

#

# STATE OF ALASKA

## DEPARTMENT OF NATURAL RESOURCES

### Division of Mining, Land and Water

Northern Regional Land Office  
 3700 Airport Way  
 Fairbanks, AK 99709-4699  
 (907) 451-2740  
[nro.lands@alaska.gov](mailto:nro.lands@alaska.gov)

Southcentral Regional Land Office  
 550 West 7<sup>th</sup> Ave, Suite 900C  
 Anchorage, AK 99501-3577  
 (907) 269-8503  
[dnr-pic@alaska.gov](mailto:dnr-pic@alaska.gov)

Southeast Regional Land Office  
 P. O. Box 111020  
 Juneau, AK 99811-1020  
 (907) 465-3400  
[sero@alaska.gov](mailto:sero@alaska.gov)

Statewide TTY – 771 for Alaska Relay or 1-800-770-8973

### LIMITED MATERIAL SALE CONTRACT

Name: RYAN Smith  
 Address: PO Box 872725 WASILLA, AK Zip: 99687  
 Phone: 907-365-6366 Email: ALASKACONSTRUCTION1@gmail.com

The above PURCHASER and the STATE agree to this sale under the authority of Alaska Statute 38.05.550 through 38.05.565, AS 38.05.850, and 11 AAC 71, and subject to the following terms and conditions:

#### Location and Description of Land from Which Material is to be Removed:

Section: 26 Township: FOURN Range: 014 E Meridian: Fairbanks  
 Material Site # (if known) 670-089-2 Pit Name crooked creek  
 General Location Description: PIT RUN gravel ADL# 419609  
 Material Type: Pit Run gravel Quantity in Cubic Yards: 180 cubic yards  
 Intended Use of Material Sale: gravel for entrances + pad at 126.2 mile state highway Central

TOTAL QUANTITY (200 Cubic Yards Maximum) – first two cubic yards (if annual deductible applies)  
178 x \$ 3 /cy = \$ 534 + \$ 80 = 614.00

Removal of materials may begin **only** upon receipt of an approved copy of this sale contract.

The purchaser agrees to indemnify the State of Alaska against and hold it harmless from any and all claims, demands, suits, losses, liabilities, and expenses for injury to or the death of persons and damage to or loss of property arising out of or connected with the exercises of privileges covered by this sale contract.

I have read and understood the requirements of this Limited Material Sale Contract and the attached **Special Stipulations**. I understand that this sale contract is not legal until signed by a Department of Natural Resources representative and my prepayment for the material may be returned if the sale contract cannot be issued.

Signature of Purchaser: [Signature] Date: 1-13-22

This sale contract is for nonexclusive use. It may be canceled at any time by the Director of Mining, Land and Water if it appears to be in the best interest of the State of Alaska to do so. This sale contract is issued subject to the attached **Special Stipulations**.

This sale contract expires on: 12 / 31 / 2022 By: State of Alaska: [Signature]  
 Title: MAT2

## SPECIAL STIPULATIONS FOR A LIMITED SALE CONTRACT

1. The purchaser is responsible for proper location on site.
2. There shall be no interference with other operators in the material site.
3. The purchaser may be required to contact the local Alaska Department of Transportation/Public Facilities (ADOT/PF) representative prior to material extraction. If required, the name is shown below. The purchaser is required to abide by any additional restrictions ADOT/PF personnel place on the removal of materials.

ADOT/PF Contact Name: Central Station Foreman Phone: 860-660-3406

4. The purchaser shall carry a copy of the executed sale contract while operating in the material site. Failure to do so may result in the sale contract's immediate termination.
5. Stockpiling is not permitted under this Limited Material Sale Contract. Only ADOT/PF personnel or persons who have a negotiated or competitive material sale contract may be allowed to stockpile material.
6. No processed material shall be removed from existing stockpiles or the floor of the pit.
7. Material shall be removed in even, shallow lifts. Depressions that could cause ponding or safety hazards shall be leveled out. During operations, the area that is actively being excavated shall be no steeper than 2H:1V slope. Upon completion, final banks of material sites shall be left at slopes no steeper than 3H:1V. Purchaser may extract material only from the developed work area in ADOT/PF sites.
8. The cutting of trees and the removal of vegetation is prohibited.
9. The site shall be left neat and clean of any debris or trash.
10. Excavation activities on state shorelands or river and lake beds shall avoid sensitive fish and shellfish life stages. Excavation below ordinary high water may only occur in de-watered, non-vegetated areas. In-water excavation is prohibited.
11. Structures and storage of equipment, materials, fuel, or hazardous substances are prohibited.
12. If material washing is to occur, silts and sediments shall be removed from the wash water prior to its direct or indirect discharge into any natural body of water.
13. Should any historic, prehistoric (paleontological) or archaeological sites be discovered during the course of field operations, activities that may damage the site will cease and the Office of History and Archaeology in the Division of Parks and Outdoor Recreation ((907) 269-8721) and the appropriate coastal district shall be notified immediately.
14. Blasting and drilling is prohibited.
15. The issuance of this authorization does not alleviate the necessity for the purchaser to obtain authorizations required by other agencies for this activity.

See current Director's Fee Order for applicable fees.

For Department Use Only  
Application received date stamp

Receipt Types:

- 17 Application for sale of material, except
- A1 Application for sale of peat from other than a designated material site or source

STATE OF ALASKA  
DEPARTMENT OF NATURAL RESOURCES  
SUPPORT SERVICES DIVISION  
FINANCIAL SERVICES SECTION  
550 W 7TH AVE SUITE 1410  
ANCHORAGE AK 99501-3561  
(907) 269-8500

REC DATE - AGREEMENT NUMBER -- CUST NO RECEIPT DESCRIPTION  
01/21/2022 ADL 419609 163281 4864775 APPLICATION FEE - MATERIAL

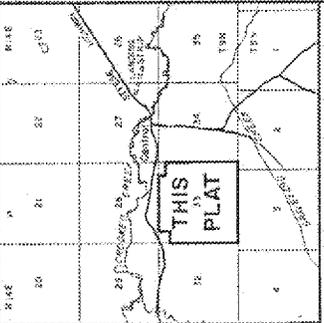
DNR DMLW NRO  
3700 AIRPORT WAY  
FAIRBANKS AK 99709

BANKCARD TYPE/NUMBER	5628	CASH AMOUNT	\$0.00
		RECEIPTED AMOUNT	\$80.00

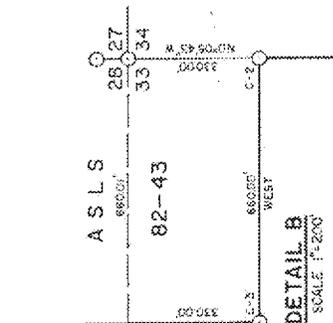
REMITTER: RYAN SMITH  
PO BOX 872725  
WASILLA AK 99687

COMMENTS: SC LMSC APPLICATION FEE

RECEIPT - DO NOT PAY



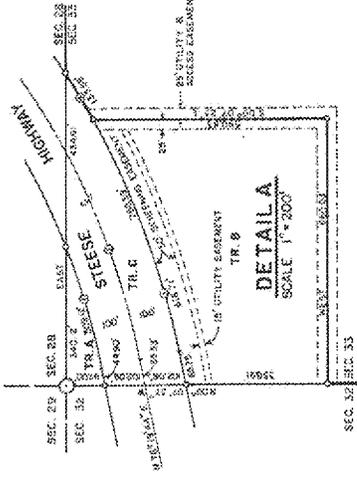
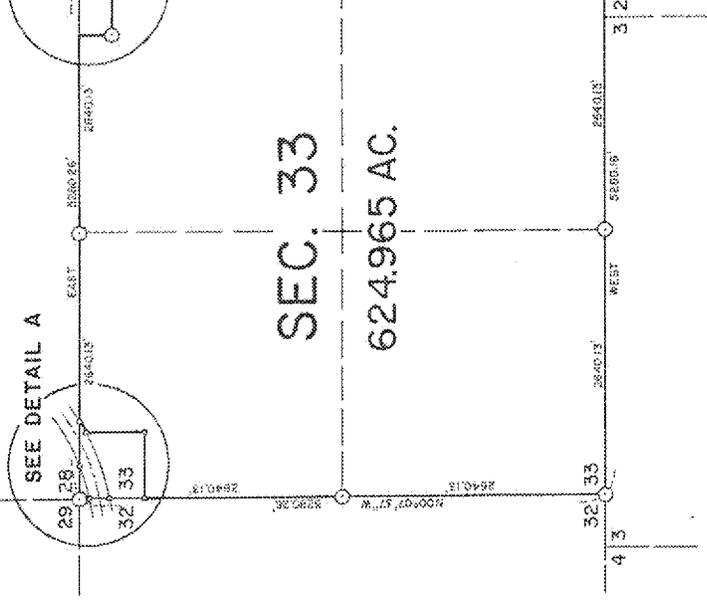
VICINITY MAP  
SOURCE: 1988 QUAD, CIRCLE 10-81, 1936 (1963)  
SCALE: 1"=200'



DETAIL B  
SCALE: 1"=200'

SEE DETAIL A

SEE DETAIL B



DETAIL A  
SCALE: 1"=200'

**APPROVAL CERTIFICATE**  
THIS PLAT HAS BEEN REVIEWED AND FOUND TO BE IN COMPLIANCE WITH APPLICABLE PROVISIONS OF LAW, AND IS HEREBY APPROVED.  
*Jane M. Williams*  
DIRECTOR OF TECHNICAL SERVICES

**SURVEYOR'S CERTIFICATE**  
I, THE UNDERSIGNED REGISTERED LAND SURVEYOR, HEREBY CERTIFY THAT THIS OFFICE PLAT WAS DRAWN UNDER MY DIRECT SUPERVISION AND THAT ALL DATA SHOWN HEREIN IS TRUE AND CORRECT AS COMPILLED FROM EXISTING RECORD INFORMATION.  
REGISTERED LAND SURVEYOR *James W. Williams*  
DATE: *8/1/85* REGISTRATION NUMBER: *4018-E*

**LEGEND**  
○ PRIMARY MONUMENT OF RECORD  
○ SECONDARY MONUMENT OF RECORD

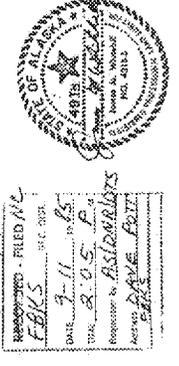
**OFFICE COPY**



1: METER = 39.3708 U.S. SURVEY FEET 1:100 AGRICULTURAL METERS  
NAME OF SURVEYOR: \_\_\_\_\_  
STATE OF ALASKA: \_\_\_\_\_  
DIVISION OF TECHNICAL SERVICES: \_\_\_\_\_

STATE OF ALASKA  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF TECHNICAL SERVICES  
REPLAT  
A PORTION OF SECTION 33 OF ALASKA STATE CADASTRAL SURVEY PLAT THE SOUTH BOUNDARY OF T. 9 N., R. 14 E., S. 3 SEC. 23, 24, 25, 26, 33, 34, 35 & 36, T. 9 N., R. 14 E., P. M. ALASKA FILED IN THE FAIRBANKS RECORDING DISTRICT AS PLAT NO. 83-18  
DRAWN BY: \_\_\_\_\_  
CHECKED BY: \_\_\_\_\_  
DATE PLATED: \_\_\_\_\_  
SCALE: 1"=200'

**NOTES**  
1. ALL DIMENSIONS SHOWN IN DETAIL B ARE RECORD FROM THE PLAT OF ALASKA STATE LAND SURVEY NO. 22-43 FILED IN THE FAIRBANKS RECORDING DISTRICT ON FEBRUARY 7, 1983 AS PLAT NO. 83-15. ALL OTHER DIMENSIONS ARE RECORD FROM THE FAIRBANKS RECORDING DISTRICT AS PLAT NO. 82-43 FILED IN THE FAIRBANKS RECORDING DISTRICT ON FEBRUARY 7, 1983 AS PLAT NO. 82-43.  
2. THIS PLAT WAS PREPARED UNDER G.S.P. NO. 85-186 AND 85-134.



**CURVE TABLE**

CURVE NO.	LENGTH (FEET)	ARC (DEGREES)	CHORD (FEET)	APPROXIMATE AREA (SQ. FEET)
1	1000.00	20.92	1000.00	1000.00
2	1000.00	20.92	1000.00	1000.00
3	1000.00	20.92	1000.00	1000.00

**SPECIAL NOTE**

UNDER THE AUTHORITY OF STATE PLATTING RESOLUTION NUMBER 85-3, APPROVED JULY 2, 1985, THIS REPLAT REMOVES ALL TRACT DESIGNATIONS WITHIN THE PLATTED AREA OF SECTION 33 SHOWN HEREON, AS CREATED BY THE PLAT IDENTIFIED IN THE TITLE BLOCK.  
THE LOCATION OF TRACT DESIGNATIONS IS TO FACILITATE THE STAKING AND SURVEY OF TRACTS OF LAND WITHIN THE ALBERT CREEK REMOTE PARCEL AREA.

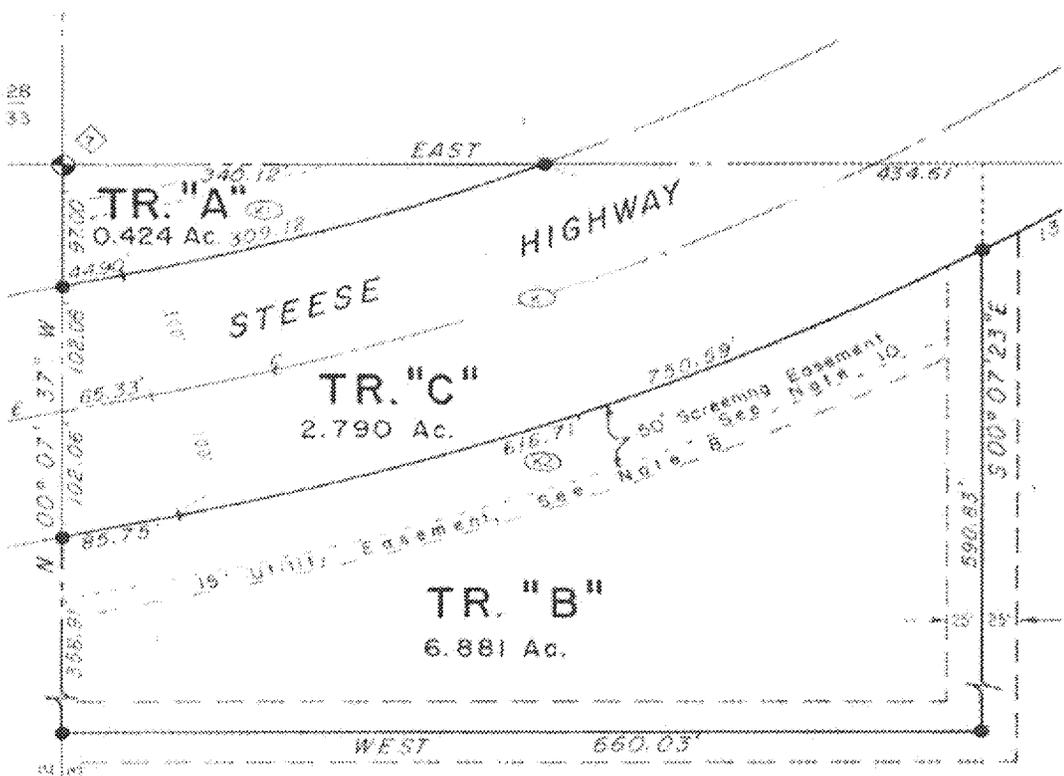
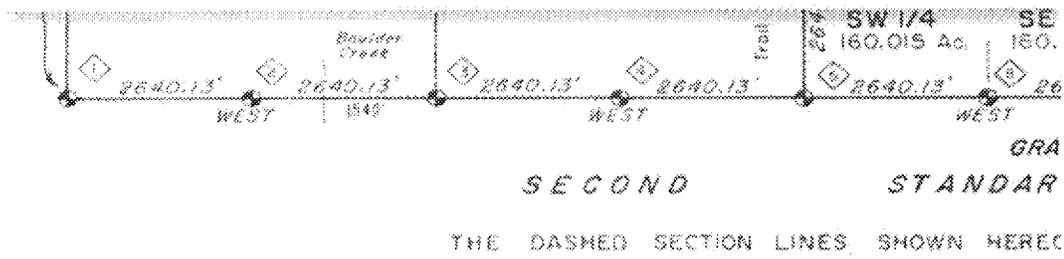
**SELECTION INFORMATION**  
General Selection 3394  
Territorial Approval: dated 10-28-60

**TOWNSHIP 9 NORTH, RANGE 14 EAST,  
FAIRBANKS MERIDIAN, ALASKA**

TOTAL AREA = 624.965 ACRES



LP19-0083 Steese hi...



**DETAIL**  
SCALE: 1" = 100'

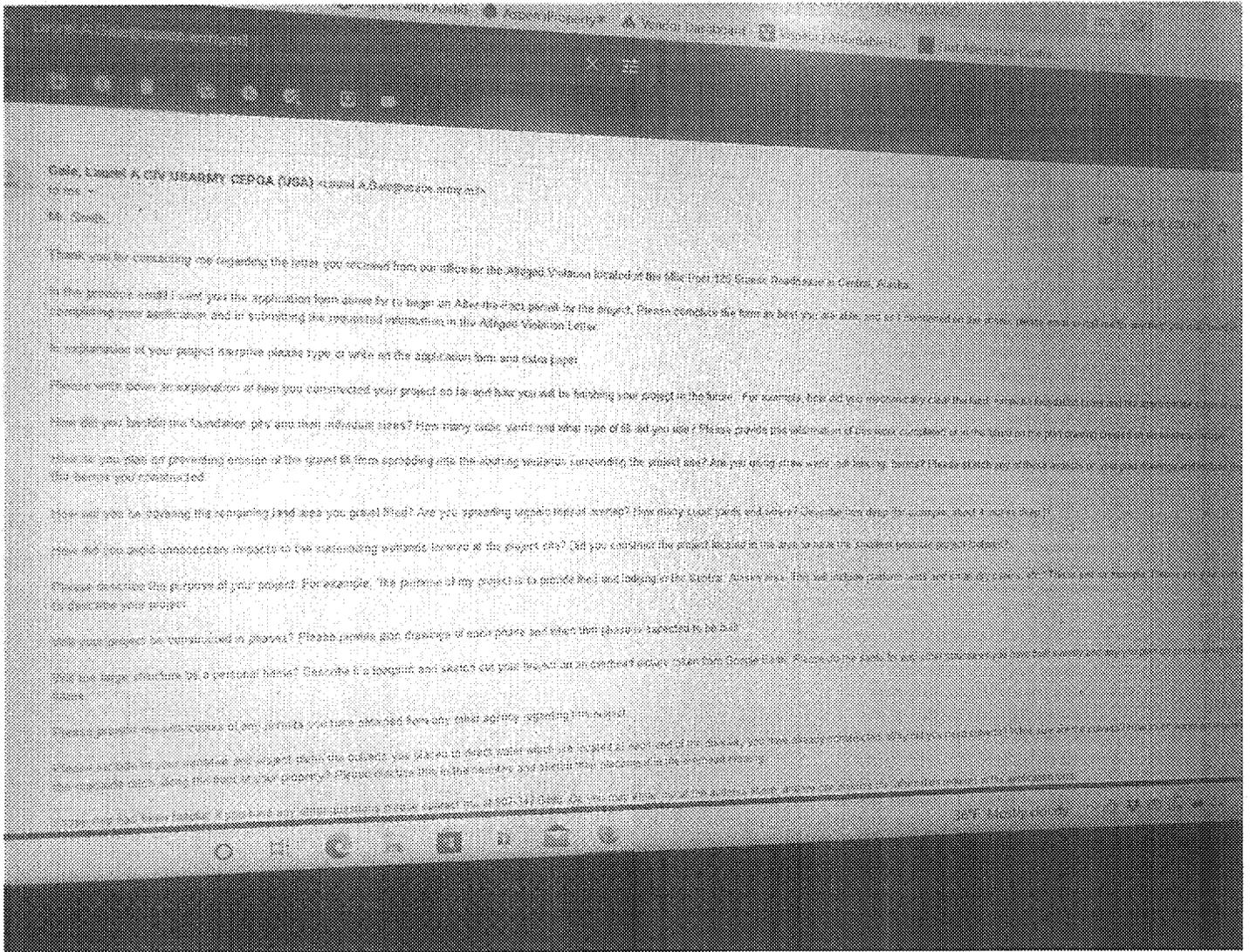
TR

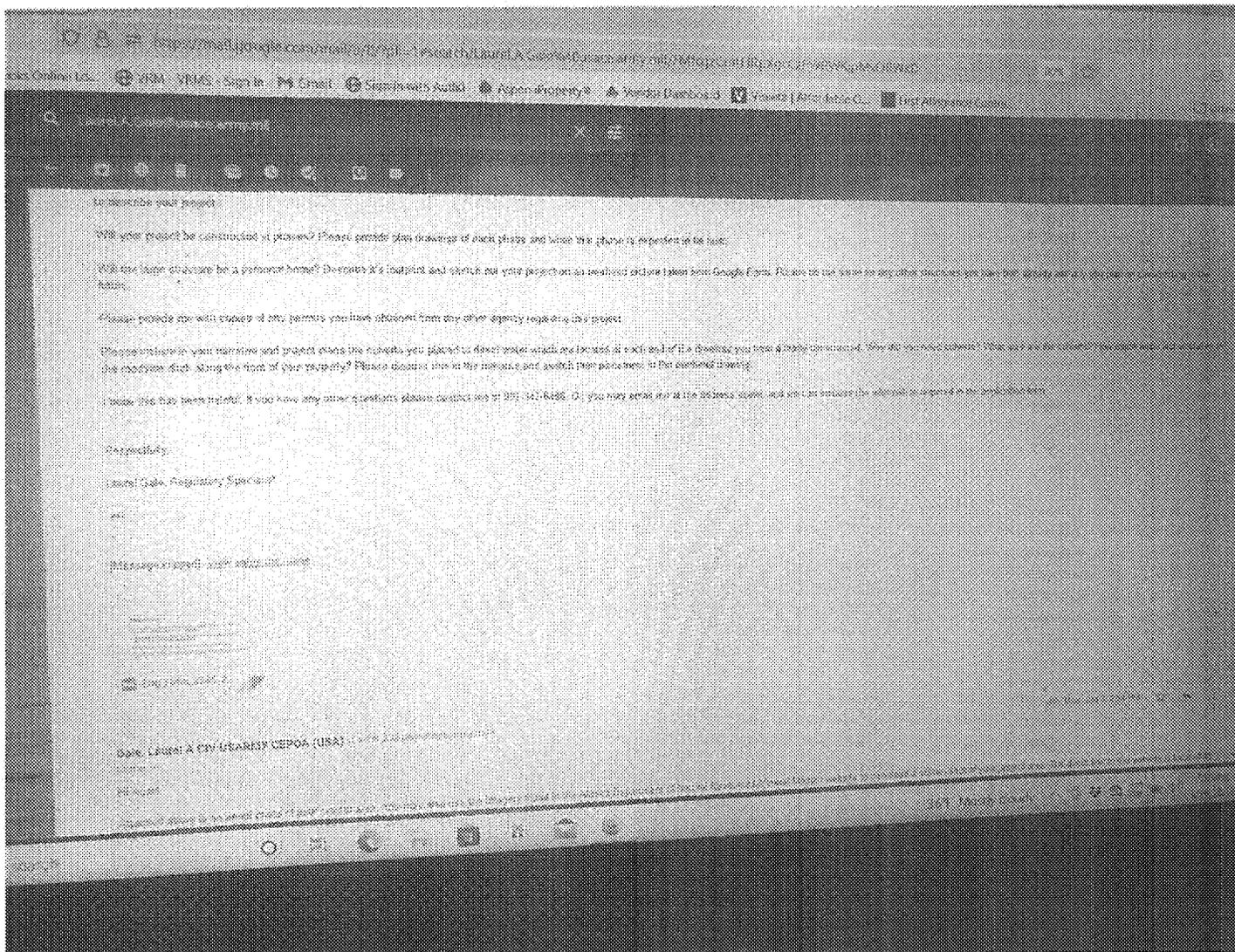


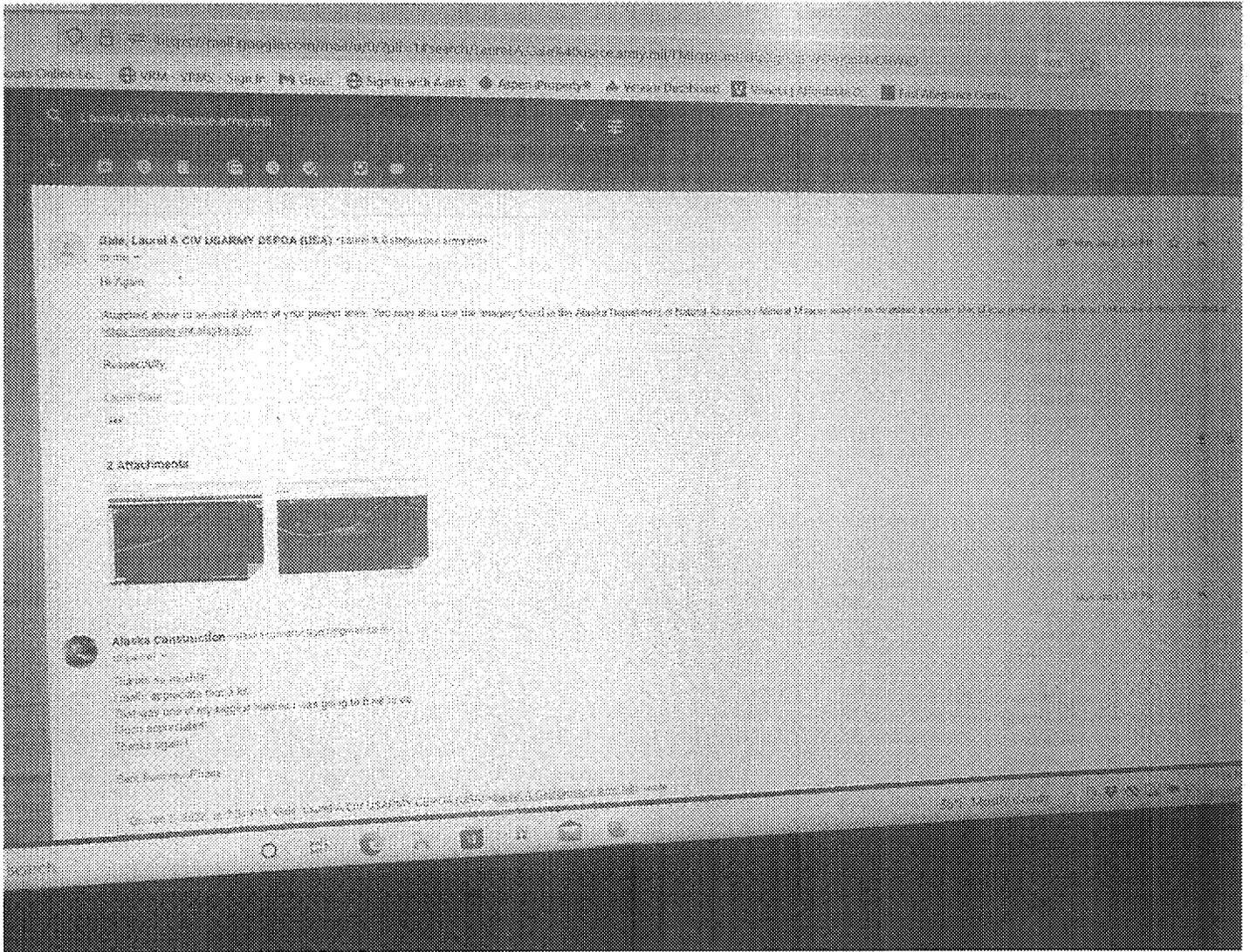


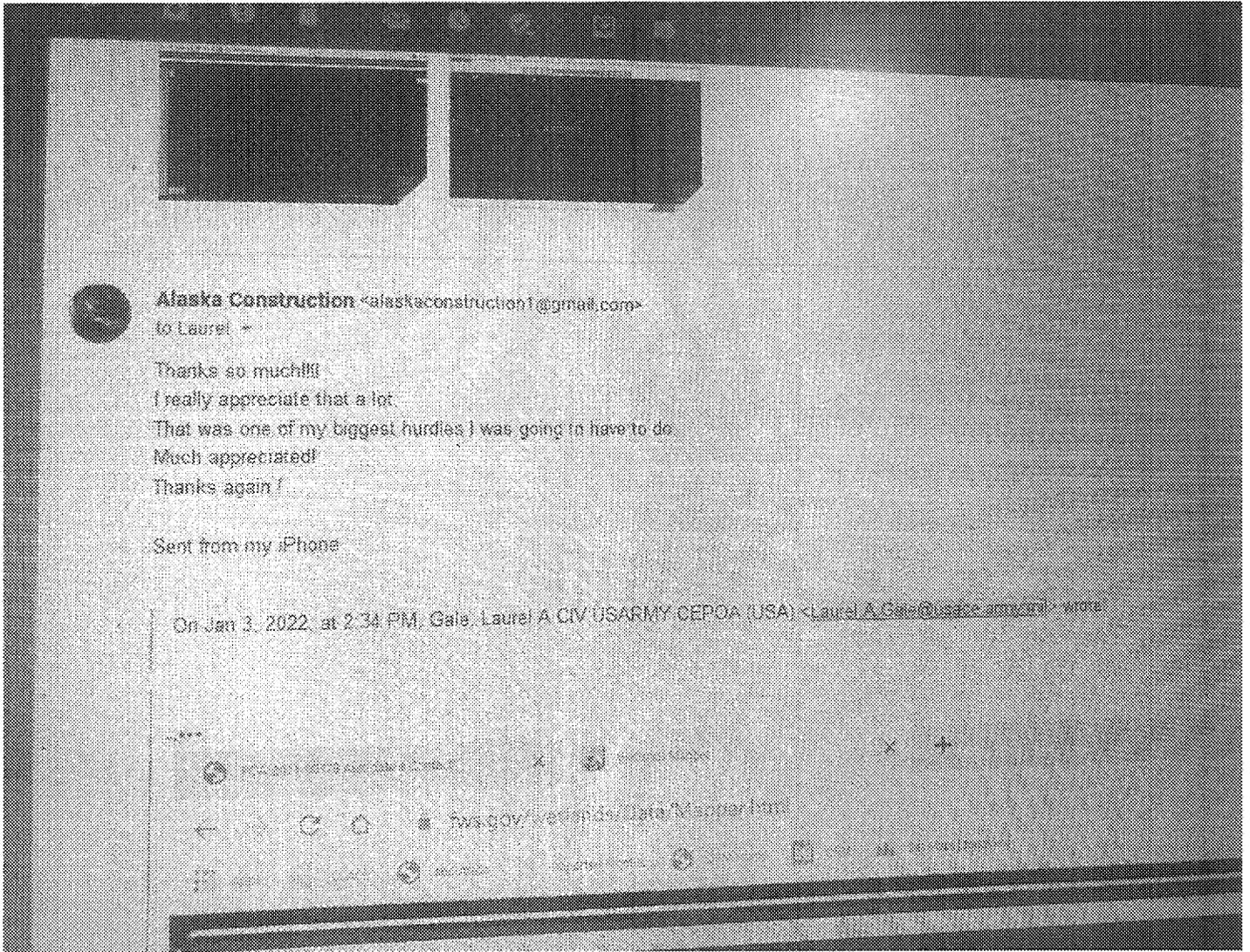


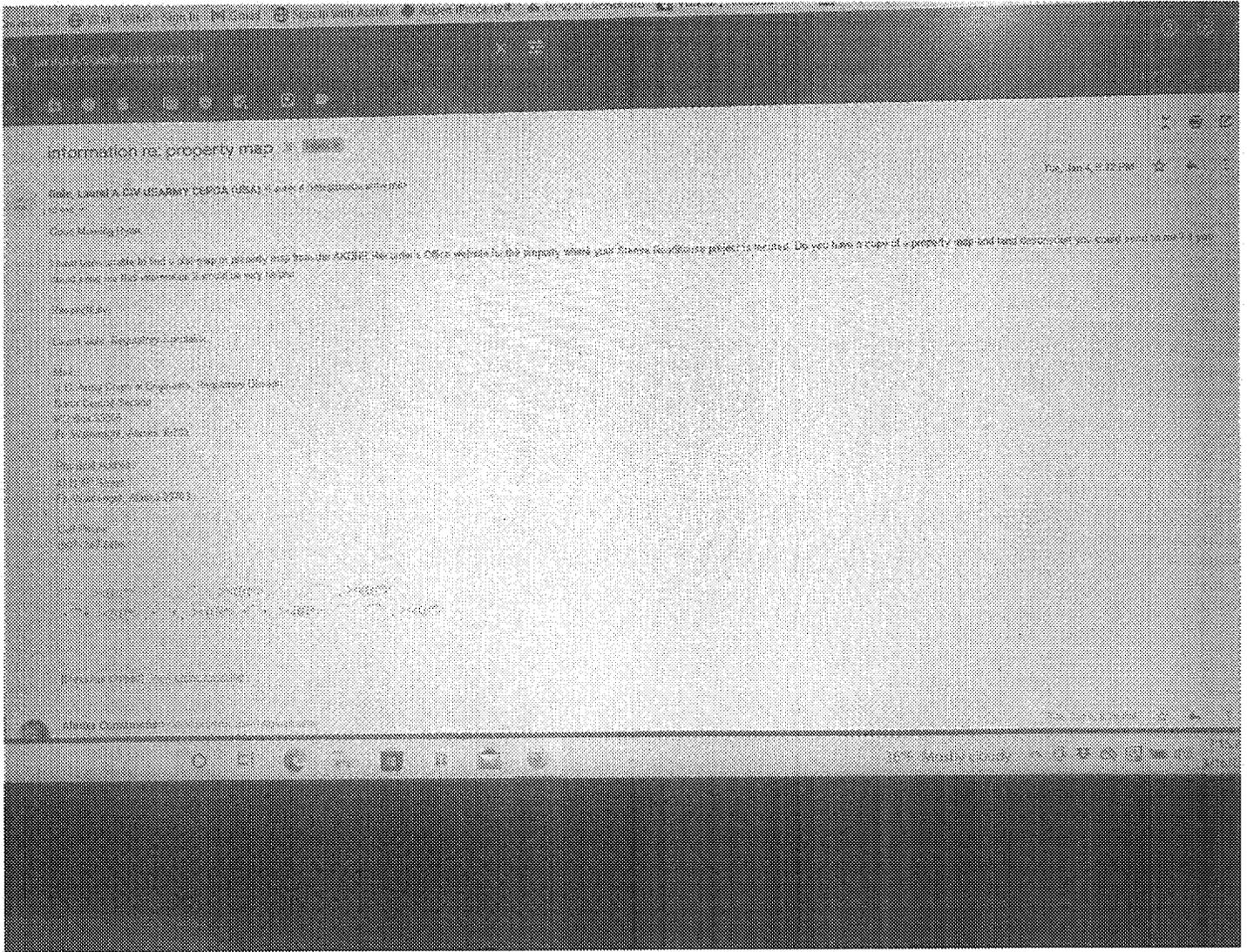




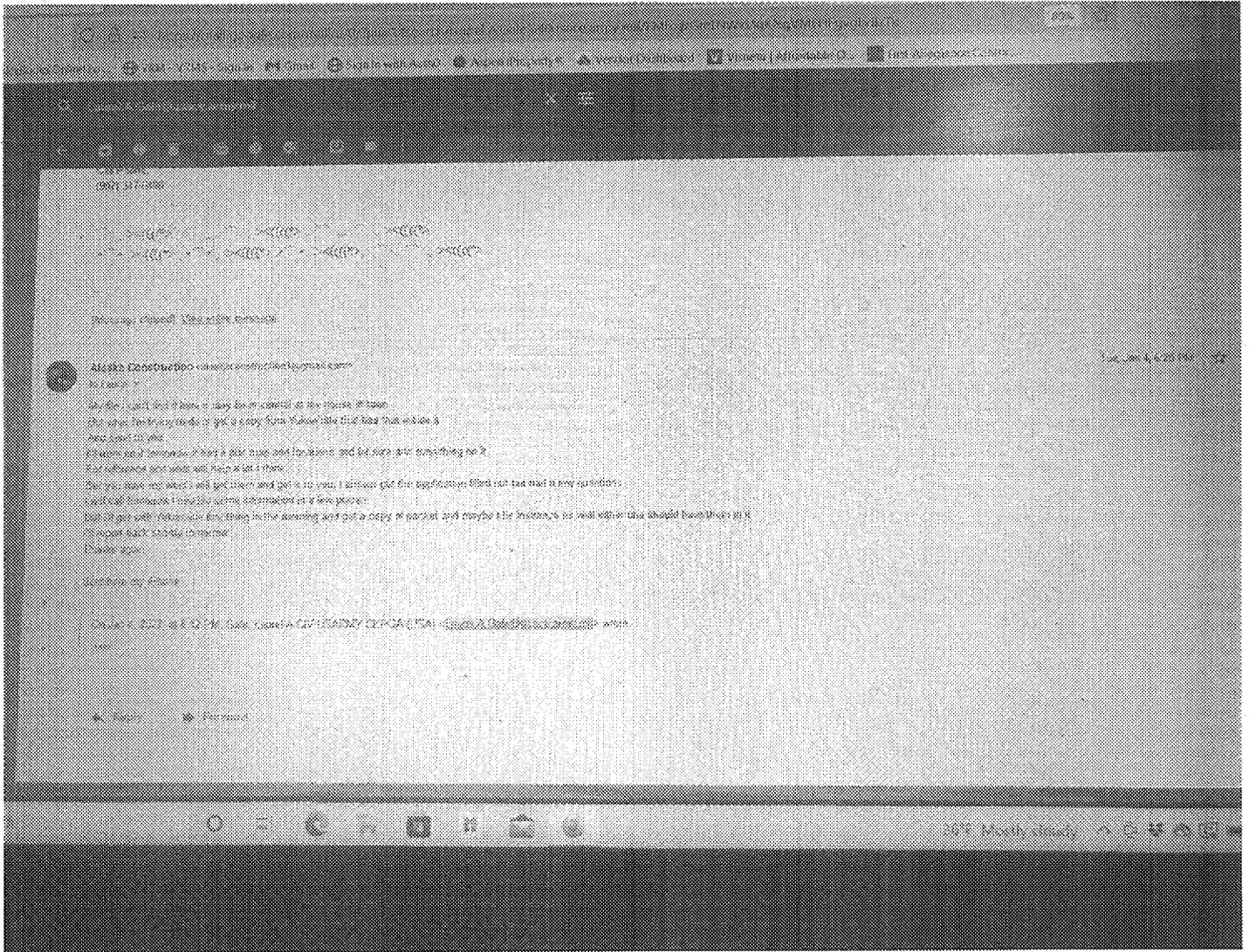


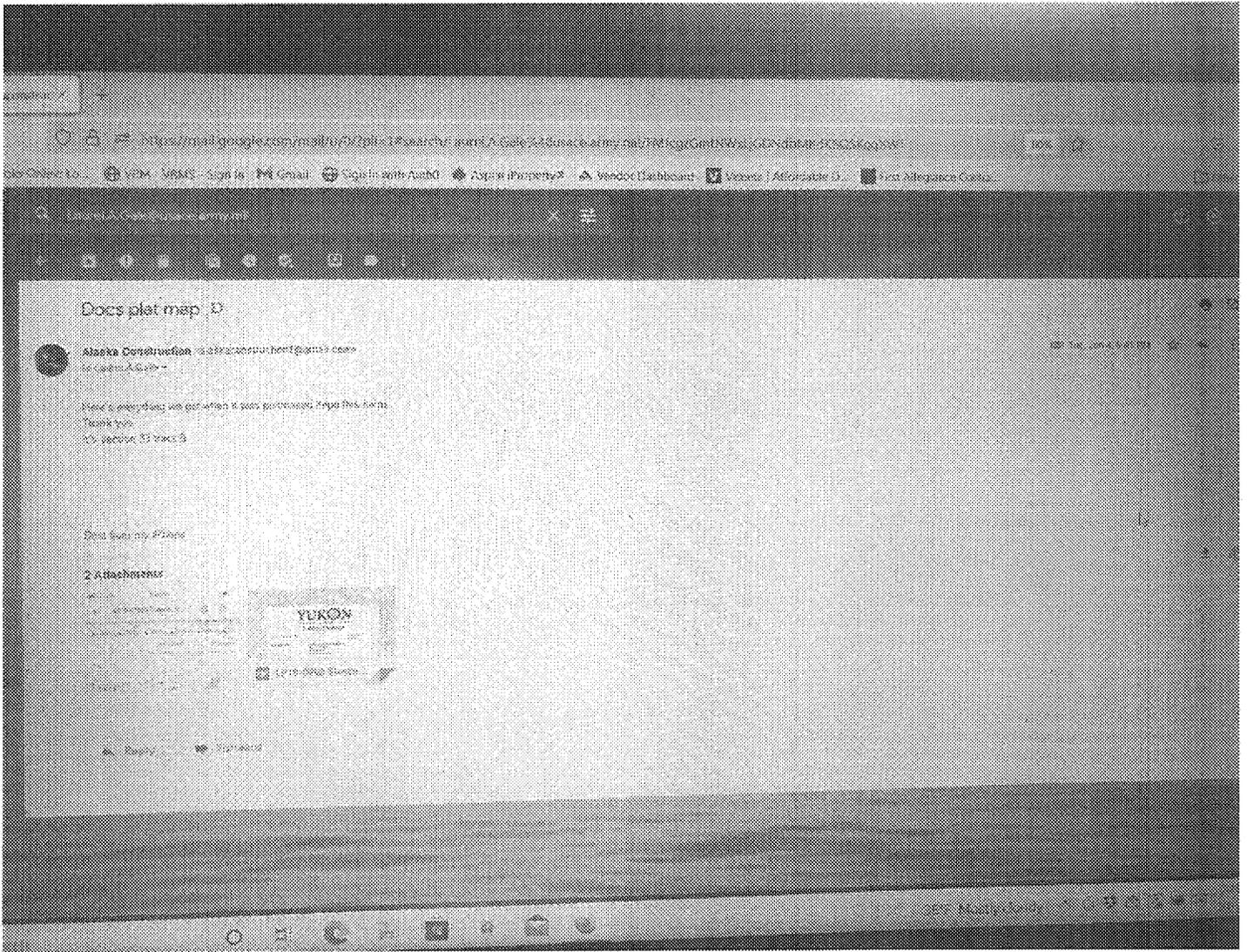






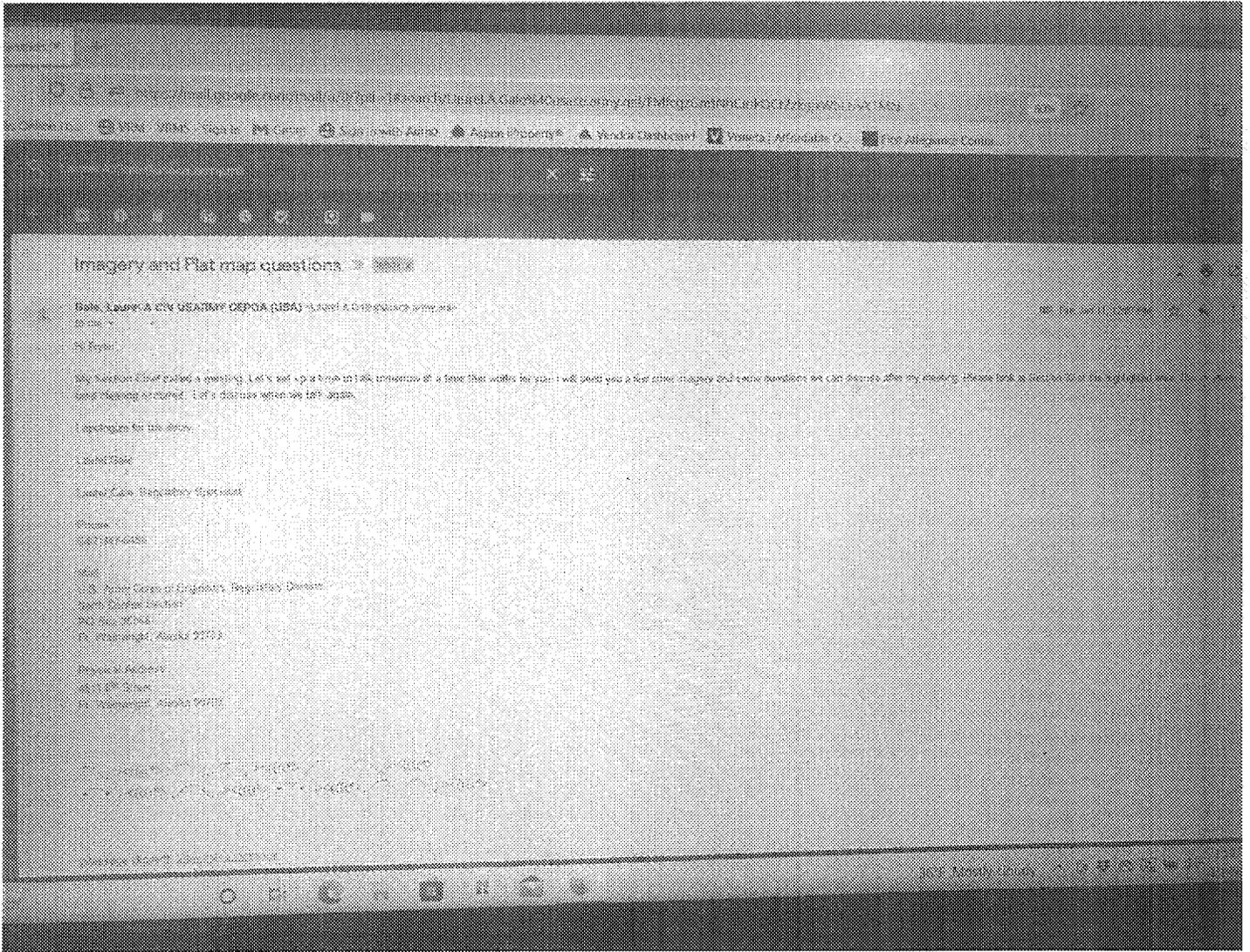
January 4  
 Conversation Laurel gale

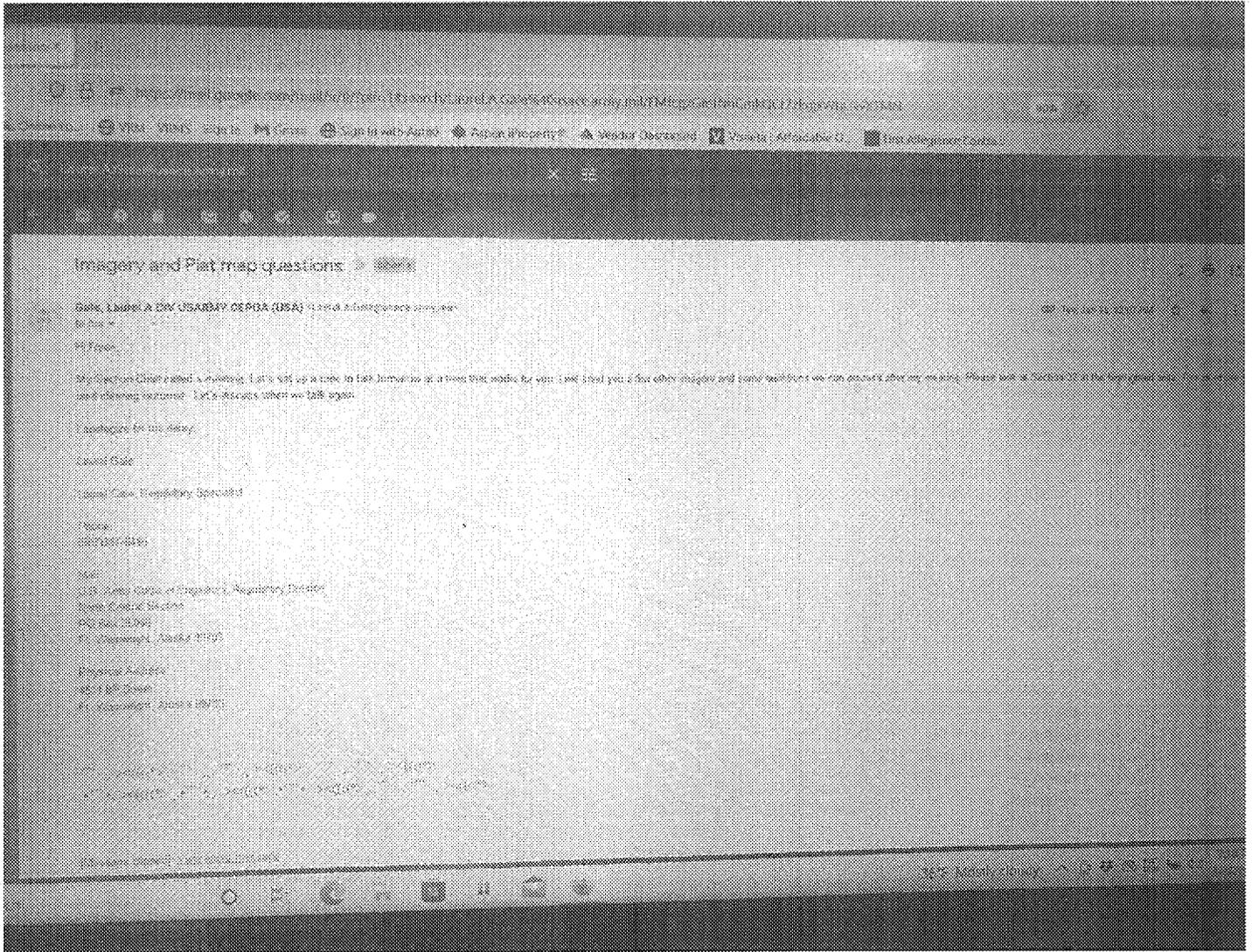


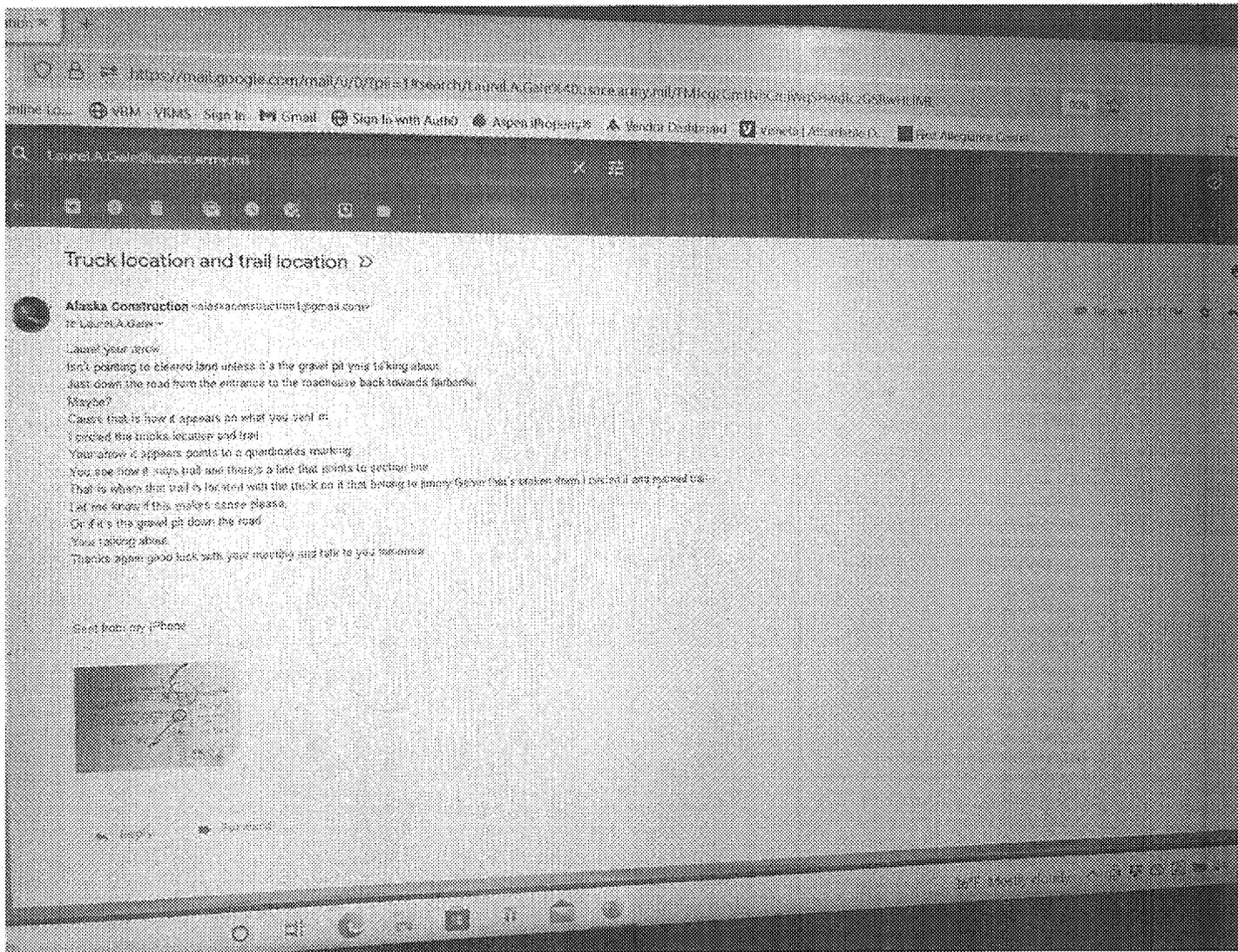






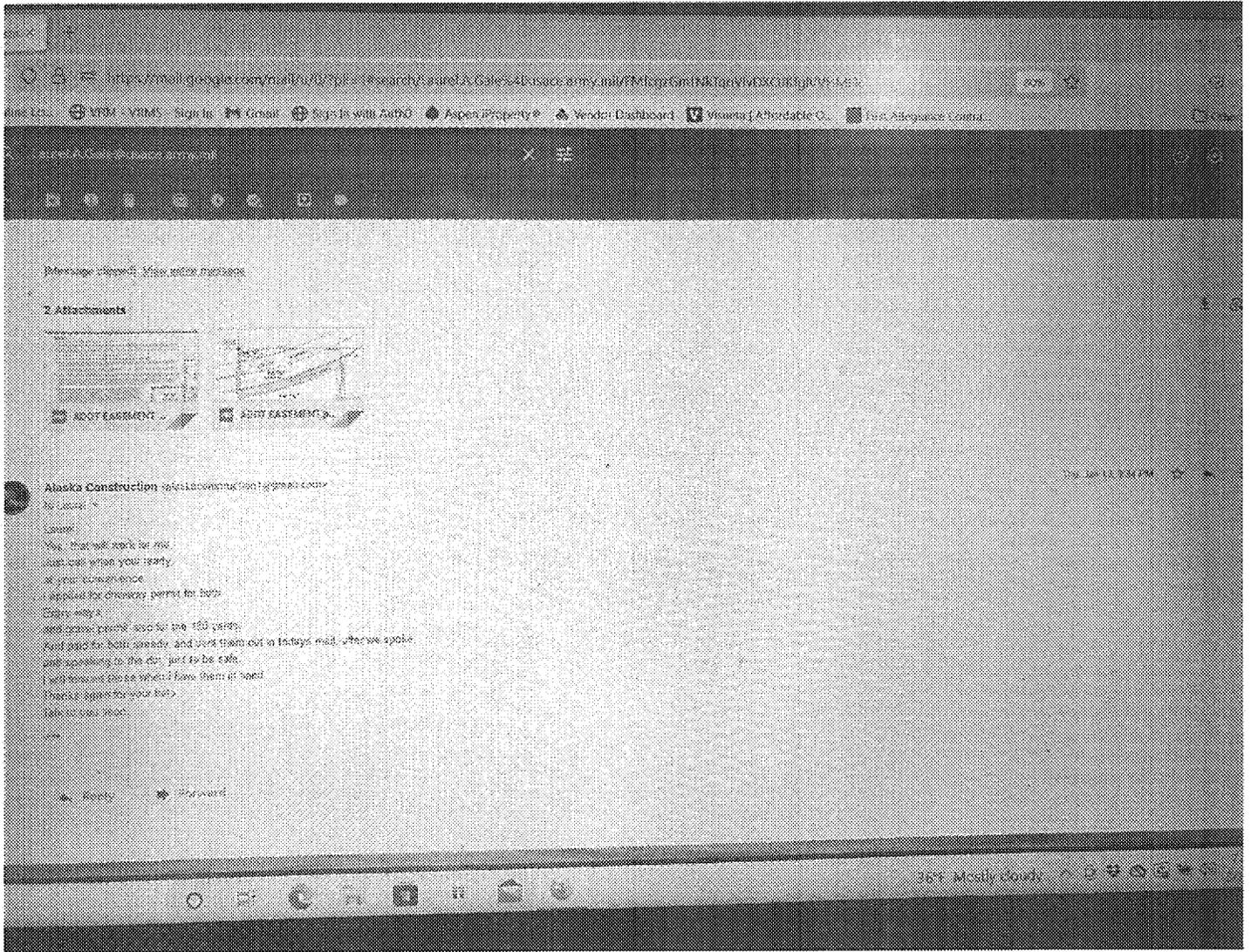


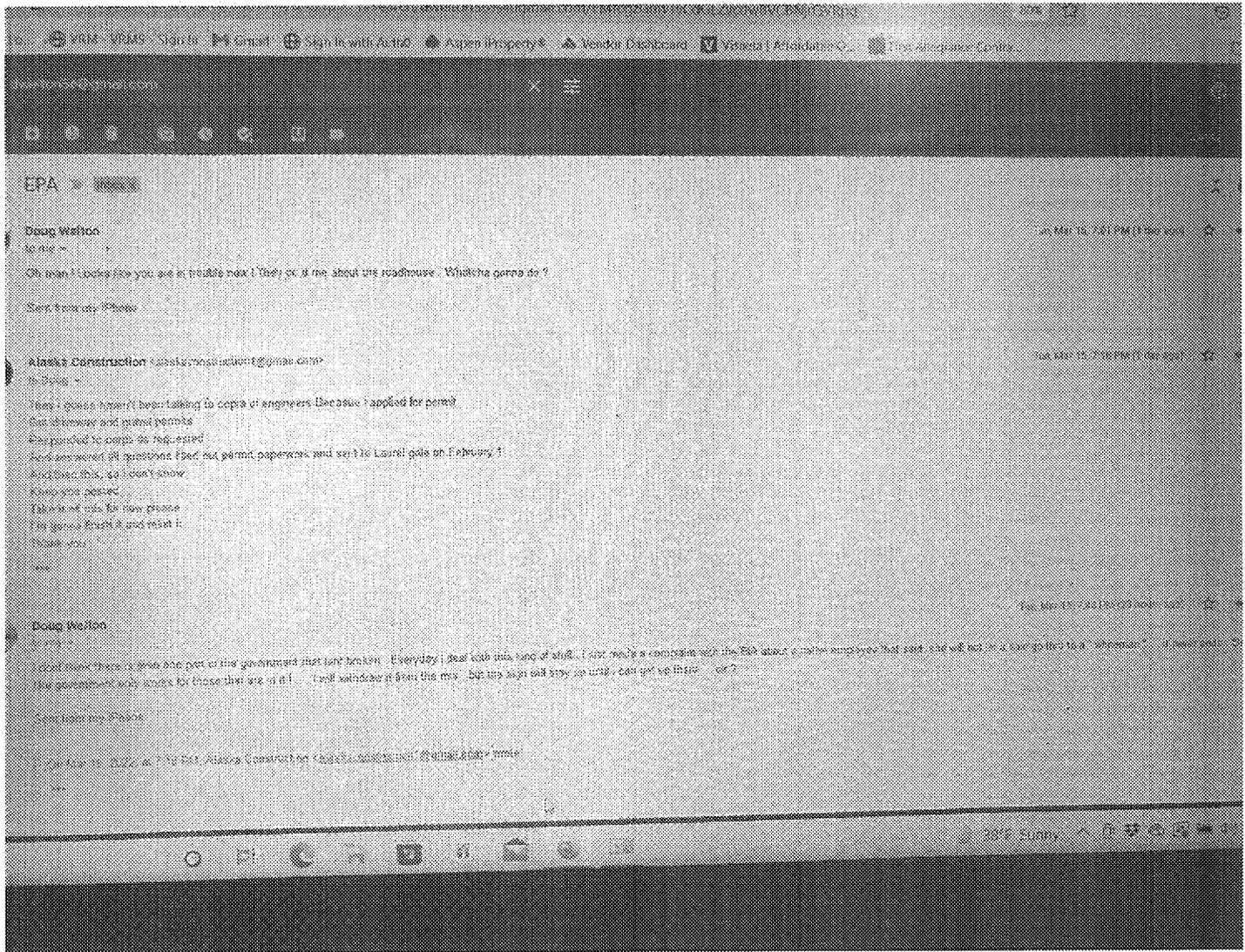




January 11<sup>th</sup>  
Laurel Gale conversation







REALTOR telling me The  
EPA sent him the letter via email